

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI

FILED

APR 11 2007

DAVID CREWS, CLERK
By *Joanne Beitelser*
Deputy*Tory Edwards*

Plaintiff

v.

CASE NO.

*1:07CV83-B-D**Lee County Sheriff Dept.*

Defendant

PRISONER'S COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT

1. The Plaintiff's full legal name, the name under which the Plaintiff was sentenced, the Plaintiff's inmate identification number, the Plaintiff's mailing address, and the Plaintiff's place of confinement are as follows:

A. Legal name:

Tory D'Nwell Edwards

B. Name under which sentenced:

Tory D'Nwell Edwards

C. Inmate identification number:

K9194

D. Plaintiff's mailing address (street or post office box number, city, state, ZIP):

*510 N. Commerce St.**Tupelo, MS 38804*

E. Place of confinement:

Tupelo Lee Co. Adult Jail

2. Plaintiff names the following person(s) as the Defendant(s) in this civil action:

Name:

Jim Johnson

Title (Superintendent, Sheriff, etc.):

Sheriff

Defendant's mailing address (street or post office box number, city, state, ZIP)

*510 N. Commerce St.**Tupelo, MS 38804*

Name:

Title (Superintendent, Sheriff, etc.):

Defendant's mailing address (street or
post office box number, city, state, ZIP)

Tony Carlton
Jail Administrator
510 N. Commerce St.
Tupelo, MS 38801

Name:

Title (Superintendent, Sheriff, etc.):

Defendant's mailing address (street or
post office box number, city, state, ZIP)

Name:

Title (Superintendent, Sheriff, etc.):

Defendant's mailing address (street or
post office box number, city, state, ZIP)

(If additional Defendants are named, provide on separate sheets of paper the complete name, title, and address information for each. Clearly label each additional sheet as being a continuation of Question 2).

3. Have you commenced other lawsuits in any other court, state or federal, dealing with or pertaining to the same facts that you allege in this lawsuit or otherwise relating to your imprisonment? ☐ Yes ☒ No
4. If you checked "Yes" in Question 3, describe each lawsuit in the space below. If there is more than one lawsuit, describe the additional lawsuit(s) on separate sheets of paper; clearly label each additional sheet as being a continuation of Question 4.

A. Parties to the lawsuit:

Plaintiff(s):

Defendant(s):

B. Court:

C. Docket No.:

D. Judge's Name:

E. Date suit filed:

F. Date decided:

G. Result (affirmed, reversed, etc.):

5. Is there a prisoner grievance procedure or system in the place of your confinement? ☒ Yes ☐ No
6. If "Yes," did you present to the grievance system the same facts and issues you allege in this complaint? (See question 9, below). ☒ Yes ☐ No
7. If you checked "Yes" in Question 6, answer the following questions:

A. Does the grievance system place a limit on the time within which a grievance must be presented?

☐ Yes

☒ No

B. If you answered "Yes," did you file or present your grievance within the time limit allowed?

☐ Yes

☐ No

C. The court must find that you exhausted the prison's grievance system and administrative remedies before it can consider this Complaint. State everything you did to present your grievance(s). Be specific. Include the date(s) on which you filed or presented your grievances to prison officers; identify the officer(s). State your claim(s) exactly.

I Terry Edwards filed a grievance on 3-14-07 about living standards in H-4 holding cell with Officer Jason Edwards on above date. I Terry Edwards filed a second grievance on the same thing with Officer Che 3-15-07 and never heard anything. I Terry Edwards filed a grievance form with Officer Hipton on 3-16-07 on the same thing and never heard nothing.

D. State specifically what official response your grievance received. If the prison provides an administrative review of the decision on your grievance, state whether you applied for that review and what the result was.

I witnessed Officer Cherry and Hipton tell Willie Mcgaughy to stop writing grievances about the way his living standards were in H-4 because no one was going to answer so I took it upon myself to write up people for justice. It's a shame how they have people living in humane on dirty floors with waste coming out of the drains and we laying on the same floor with no mats pillows or blankets. I wrote up people because I knew they wouldn't answer my complaints.

Special Note: Attach to this Complaint as exhibits complete copies of all requests you made for administrative relief through the grievance system, all responses to your requests or grievances, all administrative appeals you made, all responses to your appeals, and all receipts for documents that you have.

8. If you checked "No" in Question 6, explain why you did not use the grievance procedures or system:

9. Write below, as briefly as possible, the facts of your case. Describe how each Defendant is involved. Write the names of all other persons involved. Include dates and precise places of events. Do not give any legal argument or cite any legal authority. If you have more than one claim to present, number each claim in a separate paragraph. Attach additional pages only if necessary; label attached pages as being continuations of Question 9.

I Tony Edwards slept on a concrete floor with 25 or more other inmates for 110 or more days in a 6 man cell. I asked for a mat or blanket and was refused and told you are in jail. They wouldn't let us bath or even clean the cell with any kind of cleaner. My back and shoulder hurt very much from the concrete floor. My hips also hurt when I walk or even lay on them. Every time the toilets are flushed waste would shoot up thru the drains on all of us. I told them and they just laughed and said you are in jail. I tried to talk to Tony Carlton the jail administrator and Jim Johnson (Sheriff) and was refused. The officers told me that they handle those matters and that they (Tony) or (Jim) would not see or talk to me.

I talked to Officer Cherry and Lipton and they stated it was up to the Administrator and the Sheriff. They could do nothing. This occurred from 3-2-07 until 3-12-07 my witness (Daniel Lamb)

10. State briefly exactly what you want the court to do for you. Do not make legal arguments. Do not cite legal authority.

I want all Inmates to be treated fair and just. I would also like compensation for my pain and suffering and the mental and physical abuse that I endured. I believe that in the future I will have medical problems due to these conditions and that they are responsible for that. I would like to be rewarded 150,000

This Complaint was executed at (location):

Tupelo Adult Jail

and I declare or certify or verify or state under penalty of perjury that this Complaint is true and correct.

Date: 3-26-07

Jerry Edwards

Plaintiff's Signature